

## PAROLE BOARD[205]

### Notice of Intended Action

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code section 906.3, the Board of Parole proposes to amend Chapter 8, “Parole and Work Release Considerations,” Iowa Administrative Code.

Under current rules, an inmate with a risk assessment score of one through six requires three affirmative votes for a release, a score of seven or eight requires four affirmative votes, and a score of nine requires all five members to cast an affirmative vote to grant a release. The Board’s current risk assessment tool is undergoing a periodic revision. Additionally, a number of other risk assessment tools have been or are being developed and validated for the Board to utilize to ensure public safety in the making of releasing decisions for paroles and work releases. The proposed amendments rescind the language tying a specific risk assessment score to the number of affirmative votes needed for a parole or work release. The amendments also change the requirement that four or five affirmative votes are needed to release certain high-risk inmates. With these changes, three affirmative votes are the most required for release of any single inmate.

Consideration will be given to all written suggestions or comments received on the proposed amendments on or before September 25, 2012. Written comments should be sent to Andrea Muelhaupt, Iowa Board of Parole, 510 East 12th Street, Des Moines, Iowa 50319.

Also, there will be a public hearing on September 25, 2012, at 10 a.m. in the conference room of the Board of Parole’s offices located in the Jesse M. Parker State Office Building, 510 East 12th Street, Suite 3, Des Moines, Iowa, at which time persons may present their views either orally or in writing. At the public hearing, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendments.

Any persons who intend to attend the public hearing and have special requirements, such as those relating to hearing or mobility impairments, should contact the Board of Parole and advise of specific needs.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code sections 906.3, 906.4, and 906.5.

The following amendments are proposed.

ITEM 1. Rescind subrule 8.15(2) and adopt the following **new** subrule in lieu thereof:

**8.15(2)** The board shall grant parole or work release to an inmate if at least three members of the board agree that the inmate can be released without detriment to the community or to the inmate. If three members do not agree, the board shall deny parole or work release.

ITEM 2. Rescind and reserve subrule **8.15(3)**.

ITEM 3. Rescind and reserve subrule **8.15(4)**.